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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: J

DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand

07 CR 3238

WQH

11 UNITED STATES OF AMERICA,)	Criminal Case No. _____
12 Plaintiff,)	I N D I C T M E N T
13 v.)	Title 18, U.S.C.,
14 JUAN HERNAN LEMUS,)	Secs. 922(g)(1) and 924(a)(2) -
15 Defendant.)	Felon in Possession of a Firearm
)	and Ammunition(Felony); Title 18,
)	U.S.C., Sec. 924(d) - Criminal
)	Forfeiture
)	

The grand jury charges:

On or about August 24, 2006, within the Southern District of California, defendant JUAN HERNAN LEMUS being a person who had previously been convicted in a court of a felony, to wit, in the Superior Court of California, County of Imperial, on or about August 11, 2002, in case number CF-8542, of accessory after the fact, in violation of California Penal Code Section 32, which crime is punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess a firearm, in and affecting commerce, to wit, a loaded Sturm & Ruger pistol, Model P95DC, 9mm caliber,

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RKJ:nlv(1):San Diego
11/29/07

1 serial number 312-62717 with nine (9) rounds of ammunition; in
2 violation of Title 18, United States Code, Sections 922(g)(1)
3 and 924(a)(2).

4 FORFEITURE ALLEGATION

5 Upon conviction of the offense alleged in this indictment,
6 defendant JUAN HERNAN LEMUS shall forfeit to the United States,
7 pursuant to Title 18, United States Code, Section 924(d) and Title 28,
8 United States Code, Section 2461(c), all firearms and ammunition
9 involved in the commission of the offense including, but not limited
10 to the following: a loaded Sturm & Ruger pistol, Model P95DC, 9mm
11 caliber, serial number 312-62717 with nine (9) rounds of ammunition.

12 If any of the above-described forfeitable property, as a result
13 of any act or omission of the defendant:

14 (a) cannot be located upon the exercise of due diligence;
15 (b) has been transferred or sold to, or deposited with, a third
16 party;
17 (c) has been placed beyond the jurisdiction of the court;
18 (d) has been substantially diminished in value; or

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1 (e) has been commingled with other property which cannot be
2 divided without difficulty; it is the intent of the United States,
3 pursuant to Title 21, United States Code, Section 853(p) as
4 incorporated by Title 28, United States Code, Section 2461(c), to seek
5 forfeiture of any other property of said defendant up to the value of
6 the forfeitable property described above, including but not limited
7 to the following: a Sturm & Ruger pistol, Model P95DC, 9mm caliber,
8 serial number 312-62717 with nine (9) rounds of ammunition.
9 All pursuant to Title 18, United States Code, Section 924(d).

10 DATED: November 29, 2007.

11 A TRUE BILL:

12 
13 _____
14 Foreperson

15 KAREN P. HEWITT
16 United States Attorney

17 By: 
18 RANDY K. JONES
19 Assistant U.S. Attorney

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